

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

FELIX DeJESUS,

Plaintiff,

- v -

9:04-CV-1037

**ANSTRONG; JOHN DOE; B. COOK; GLENN
CHAMPAGNE; PETER PILIERO; LAWRENCE;
B. JENNE DOE; DENNY; ANNE LAUDRY; ROY
A. GIRDICH; D.A. ROCK; GLENN S. GOORD; and
CHARLES E. DUFRAIN,
Defendants.**

Thomas J. McAvoy, Senior U.S. District Judge

DECISION & ORDER

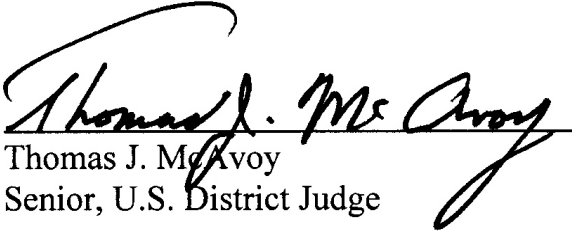
This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred by this Court to the Hon. David R. Homer, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(c) of the Local Rules of the Northern District of New York. Plaintiff has filed an objection to the Report-Recommendation dated September 5, 2006 with respect to the service of process issues only.

When objections to a magistrate judge's Report-Recommendation are lodged, the Court reviews the record *de novo*. See 28 U.S.C. § 636(b)(1). After such a review, the Court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The Court may also receive further evidence or recommit the matter to the magistrate judge with instructions." Id.

Having considered the record *de novo*, the Court accepts and adopts the recommendations of the Report-Recommendation for the reasons stated therein. Accordingly, Defendants' motion to dismiss is GRANTED and the Complaint is DISMISSED.

IT IS SO ORDERED.

Dated: September 20, 2006


Thomas J. McAvoy
Senior, U.S. District Judge